

REMARKS

Information Disclosure Statement

The examiner failed to initial U.S. patent no. 6,101,531 on the information disclosure statement submitted by the applicant. Accordingly, the applicant requests the examiner to provide a copy of PTO-1449 with the '531 reference initialed in the next office action.

Drawing Objections

The examiner objected to FIG. 2 for not including the designator "Prior Art". The Request for Drawing change submitted herewith amends FIG. 2 to include the designator "Prior Art".

Claim Objections

The examiner objected to claim 27 for being dependent on the wrong claim. The above amendment to claim 27 overcomes this objection.

Claim Rejections - 35 USC §102

The examiner rejected claims 1, 3, 5, 7-11, 16, 18, 20, 22-26, 31, 33, 35, and 37-41 under 35 USC §102(e) as anticipated by Fletcher et al. (6,138,156). The applicant respectfully disagrees.

Regarding claims 1 and 31, although Fletcher discloses to modify synchronization rules to filter data transmitted to a mobile terminal, Fletcher does not disclose or suggest to modify synchronization rules to order the data transmitted to a mobile terminal. To further clarify this difference between Fletcher, claim 1 has been amended to incorporate the limitations recited in claim 8, and claim 31 has been amended to incorporate the limitations of claim 38. In particular, these claims now recite that the synchronization

data comprises first data and second data, monitoring a user's preference in viewing the first data before viewing the second data, and adapting the synchronization rules such that the first data are received by the mobile terminal before the second data.

The examiner asserts that Fletcher discloses this limitation, at col. 9, lines 15-61, however, this interpretation of Fletcher is incorrect. Fletcher discloses, at col. 9, lines 15-61, to monitor a user's preferences in viewing data in order to filter the synchronization data. The example given by Fletcher is emails, wherein if a user most frequently requests to download only the sender and subject of email messages, and only occasionally requests the entire message text, the server can use this behavior information to establish a default delivery filter. Using the filter, the size and/or number of messages delivered to the user can be reduced. This is not the same as ordering the synchronization data so that first data (e.g., first emails) are delivered before second data (e.g., second emails). A benefit of this modification to the prior art is that the user can begin viewing the more important information (the first data) while the less important information (second data) is being downloaded to the mobile terminal during the synchronization session. For example, a user may wish to read emails from his boss before reading emails from his family. The present invention as recited in claim 1 would therefore modify the synchronization rules so that emails from the boss are downloaded to the mobile terminal before emails from the family. This concept can be extended to other aspects of synchronization data, such as ordering emails based on subject or size as illustrated in FIG. 6B of applicant's specification. Thus, ordering the delivery of synchronization data so as to optimize the synchronization session is not the same or even similar to filtering synchronization data so as to reduce the amount of synchronization data transmitted as taught by Fletcher. The rejection should be withdrawn.

Regarding claim 9, Fletcher does not disclose or suggest to transmit emails to a mobile terminal before transmitting web pages to the mobile terminal based on

synchronization rules derived from monitoring a user's preference in viewing the synchronization data. The rejection should be withdrawn.

Regarding claim 10, Fletcher does not disclose or suggest to transmit first web pages to a mobile terminal before transmitting second pages to the mobile terminal based on synchronization rules derived from monitoring a user's preference in viewing the synchronization data. The rejection should be withdrawn.

Regarding claim 16, Fletcher does not disclose or suggest a mobile terminal comprising a terminal controller for monitoring a user's operation of the mobile terminal in order to modify synchronization rules. In contrast, Fletcher discloses to monitor a user's operation of a mobile terminal at a server in order to modify synchronization rules at the server. This is illustrated in FIG. 4 of Fletcher wherein the monitoring 424 of a user's operation of a mobile terminal (workstation 470) does not take place within the mobile terminal (workstation 470), rather, it takes place at a server connected to the mobile terminal (see col. 6, lines 34-46; col. 10, lines 28-38). Since Fletcher does not disclose every element recited in the claims, the rejection under 35 USC §102 should be withdrawn.

Regarding claim 3, Fletcher does not disclose or suggest to transmit modified synchronization rules from a mobile terminal to a target computer. As described above, Fletcher does not observe or modify the synchronization rules at the mobile terminal rather Fletcher discloses to modify the synchronization rules at a server (target computer). Since the synchronization rules are modified at the server, there is no need to transmit modified synchronization rules to the server. The rejection should be withdrawn.

Regarding claim 7, Fletcher does not disclose or suggest that the mobile terminal process the modified synchronization rules to control the exchange of synchronization data between the mobile terminal (workstation) and the target computer (server). As described above, Fletcher discloses that the server controls the synchronization session according to the synchronization rules (see col. 6, lines 34-46; col. 10, lines 28-38). The rejection should be withdrawn.

Claim Rejections - 35 USC §103

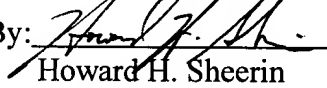
The examiner rejected claims 2, 4, 6, 12-15, 17, 19, 21, 27-30, 32, 34, 36 and 42-45 under 35 USC §103(a) as unpatentable over Fletcher in view of Kalish et al. (2002/0116472). The applicant believes these rejections should be withdrawn for the reasons set forth above.

The rejections of the remaining claims should be withdrawn for the reasons set forth above.

CONCLUSION

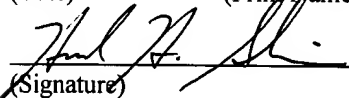
The above amendments to the claims do not raise new issues or add new matter; the applicant respectfully requests the examiner to enter the amendments. In view of the foregoing remarks, the rejections should be withdrawn. In particular, the relied upon prior art does not disclose or suggest to modify synchronization rules to order the data transmitted to a mobile terminal. The examiner is encouraged to contact the undersigned over the telephone in order to resolve any remaining issues that may prevent the immediate allowance of the present application.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

12/7/04 Howard H. Sheerin
(Date) (Print Name)

(Signature)